



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090

Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: September 19, 2013

Initiated By: Dana L. McDaniel, Deputy City Manager/Director of Economic Development

Re: Ordinance Nos. **75-13** and 76 -13 - Emerald Parkway Phase 8 Project
Thomas Family Limited Partnership – Parcel Nos. 273-009067 and 273-008247

Background

The City of Dublin ("City") is preparing to construct the Emerald Parkway Phase 8 roadway improvement project (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this Project. The City presented good faith offers to each of these landowners in accordance with the Ohio Revised Code.

One of the landowners that the City must obtain property interests from in order to construct the Project is the Thomas Family limited Partnership ("Thomas") (see map, Attachment "A"). After engaging in negotiations with the Thomas family, it appears that the City may need to appropriate the needed property from them. These ordinances represent the next step in the appropriation process, should an amicable resolution not be achieved.

Appropriation Introduction

This memorandum discusses the attached Ordinances for the Thomas acquisition (see Attachment "A"/ Map):

- 1) Parcel No. 273-009067 (Ord. No. 75-13) - a 1.836 acre fee simple interest, a 0.673 acre utility easement, and a 0.088 acre temporary construction easement in and to the premises located within Franklin County, east of Riverside Drive and North of I-270, and
- 2) Parcel No. 273-008247 (Ord. No. 76-13) - a 0.300 acre fee simple interest with 0.234 acres encumbered by Present Road Occupied in and to the premises located in Franklin County, east of Riverside Drive and South of I-270.

Property to be Appropriated

The appropriation consists of the following property interest, as depicted in the map attached hereto:

Parcel No. 273-009067

Property Interest	Acreage	Appraised Cost
Fee Simple Interest	1.836 +/- acres	\$183,600
Utility Easement	0.673 +/- acres	\$33,650
Temporary Construction Easement	0.088 +/- acres	\$1,300
Total Appraised Cost		\$218,550

Parcel No. 273-008247

Property Interest	Acreage	Appraised Cost
Fee Simple Interest	0.300 +/- acres	\$9,899
Present Road Occupied	0.234 acres +/-	\$1
Total Appraised Cost		\$9,900
Grand Total Appraised Costs		\$228,450

Recommendation

Staff recommends approval of Ordinances No. 75-13 and 76-13 at the second reading/public hearing on October 14 as obtaining this property interest is necessary for the furtherance of the Emerald Parkway Phase 8 roadway improvement project. Staff will continue to negotiate in good faith with the Thomas family on a mutually agreeable price in order to avoid future litigation. Please address any questions to Dana McDaniel.

(Attachment)



City of Dublin

6900 Shier Rings Road • Dublin, Ohio 43016-1238
Phone (614)410-4600 • Fax (614)761-8606

ATTACHMENT A
EMERALD PARKWAY
PHASE 8
THOMAS FAMILY LP
DUBLIN, OHIO 43017

LEGEND



PROPOSED RIGHT-OF-WAY

2-WD: 0.300 Ac.

4-WD: 1.836 Ac.



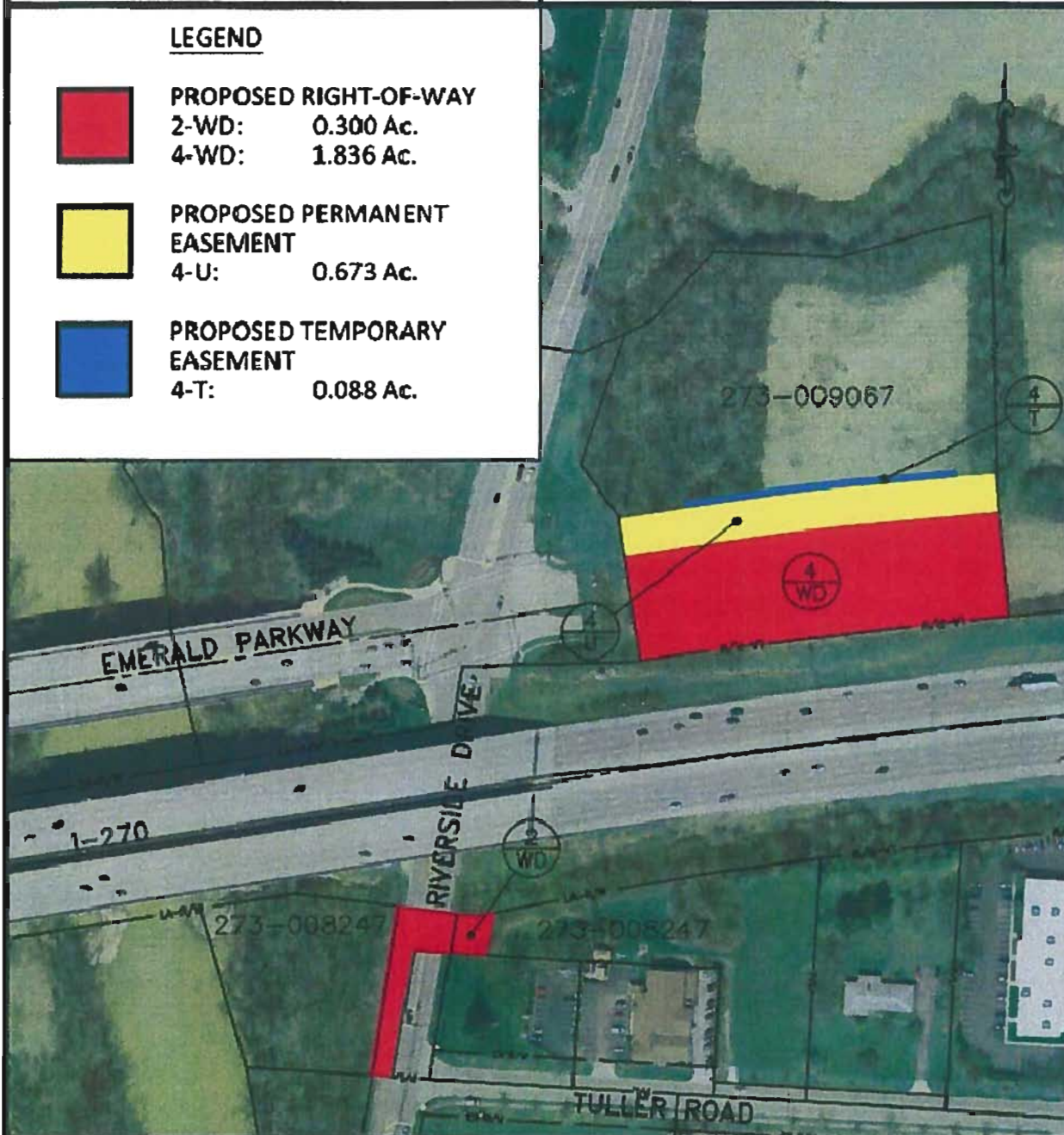
**PROPOSED PERMANENT
EASEMENT**

4-U: 0.673 Ac.



**PROPOSED TEMPORARY
EASEMENT**

4-T: 0.088 Ac.



DRAWN	CHECKED	DATE:	JOB NO.
MSS		09/04/13	07-008

SCALE 1" = 200'
0 50 100 200

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

75-13

Ordinance No. _____

Passed _____, 20____

**AN ORDINANCE AUTHORIZING THE APPROPRIATION
OF A 1.836 ACRES, MORE OR LESS, FEE SIMPLE
INTEREST; A 0.673 ACRES, MORE OR LESS, UTILITY
EASEMENT; AND A 0.088 ACRES, MORE OR LESS,
TEMPORARY CONSTRUCTION EASEMENT FROM
THE THOMAS FAMILY LIMITED PARTNERSHIP**

WHEREAS, the City of Dublin is preparing to construct the Emerald Parkway Phase 8 roadway improvement project; and

WHEREAS, the Thomas Family Limited Partnership owns property located north of I-270 and east of Riverside Drive with the parcel number of 273-009067; and

WHEREAS, this roadway project will require the City of Dublin to obtain a fee simple interest from the Thomas Family Limited Partnership, as described in the legal descriptions attached as Exhibit "A" and depicted in the surveys attached as Exhibit "B," said property interest located in the City of Dublin, County of Franklin, State of Ohio; and

WHEREAS, representatives of the City of Dublin have attempted to partake in good faith negotiations with the landowner, but these negotiations have been unsuccessful thus far.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. Council hereby authorizes the City to appropriate, for the purpose of constructing the Emerald Parkway Phase 8 roadway improvement project, a 1.836 acre fee simple interest, a 0.673 acre utility easement, and a 0.088 acre temporary construction easement as described in the attached Exhibit "A" and depicted in the attached Exhibit "B," from the Thomas Family Limited Partnership.

Section 2. Council hereby fixes the value of the interests to be appropriated at Two Hundred Eighteen Thousand Five Hundred Fifty Dollars (\$218,550).

Section 3. Council finds that the appropriation is necessary for the stated purpose and that the City has been unable to agree with the owner of the property as to appropriate compensation.

Section 4. The City Law Director is hereby authorized to file a petition for appropriation in the Franklin County Court of Common Pleas should it become necessary.

Section 5. This ordinance shall be effective upon the earliest date permitted by law.

Passed this _____ day of _____ 2013.

Mayor-Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

PARCEL 4-WD
RIGHT OF WAY ACQUISITION
FROM
THE THOMAS FAMILY LIMITED PARTNERSHIP

March 4, 2010

Page 1 of 4

Situate in the State of Ohio, County of Franklin, City of Dublin, and being located in Township 2 North, Range 19 West of the United States Military Lands, Quarter Township 2 and part of original Lot Numbered 17 and 13 being further described as part of a 6.7235 acre (auditor) (8.350 acre deed) tract of lands conveyed to The Thomas Family Limited Partnership as described in Official Records 17716 H02, 17716 G19, 17716 G16, 17716 G13, 17716 G10, 17716 G07 and 17716 G04 of the Franklin County Recorder's Office and being a parcel of land lying on the Left and Right side of Emerald Parkway as shown on the Centerline Plat of Emerald Parkway – 8 in Plat Book ____, Page ____ and being more particularly described as follows:

COMMENCING at a **Railroad Spike Set** at the centerline intersection of Riverside Drive (SR 257); formerly known as Dublin-Prospect Road at station 29+07.86 and Tuller Road station 10+00.00;

THENCE with the centerline of Riverside Drive, **North 09° 32' 19" East** for a distance of **553.57 feet** to a **Railroad Spike Set** at the point of curvature for Riverside Drive at station 34+61.43;

THENCE continuing with the centerline of Riverside Drive, on a curve to the Right having an **ARC LENGTH of 96.64 feet, a DELTA ANGLE of 01°55'21"**, with a **RADIUS of 2880.00 feet, and a CHORD BEARING of North 10°29'59" East for a CHORD DISTANCE of 96.63 feet** to a **Railroad Spike Set** at the centerline intersection of Riverside Drive at station 35+58.06 and the centerline of proposed Emerald Parkway at station 170+71.53;

THENCE with the centerline of proposed Emerald Parkway Drive, **North 81°11'21" East** for a distance of **228.71 feet** to the East line of a 6.683 acre tract of land conveyed to the City of Dublin as described in Instrument #200009270196246 and the West line of 6.7235 acre Thomas Family lands at station 173+00.23 and being the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE with the East line of 6.683 acre City of Dublin lands and the West line of 6.7235 acre Thomas Family lands, **North 08°40'58" West** for a distance of **60.50 feet** to a **Iron Pin Set** at the proposed right-of-way line of Emerald Parkway, being 60.50 feet Left of the centerline of proposed Emerald Parkway at station 173+ 00.37, witness a 5/8" rebar found (bent) bearing North 08°40'58" West at a distance of 61.06 feet;

THENCE with the proposed right-of-way line and through the 6.7235 acre Thomas Family lands the following four courses:

- 1) **North 81°11'21" East** for a distance of **96.96 feet** to a **Iron Pin Set**, being 60.50 feet Left of the centerline of proposed Emerald Parkway at station 173+97.32;
- 2) on a curve to the Right having an **ARC LENGTH of 129.71 feet, a DELTA ANGLE of 00°47'08"**, with a **RADIUS of 9,460.50 feet, and a CHORD BEARING of North 81°34'55" East for a CHORD DISTANCE of 129.71 feet** to a **Iron Pin Set**, being 60.50 feet Left of the centerline of proposed Emerald Parkway at station 175+26.21;

EXHIBIT A

PARCEL 4-WD
RIGHT OF WAY ACQUISITION
FROM
THE THOMAS FAMILY LIMITED PARTNERSHIP

March 4, 2010

Page 2 of 4

- 3) on a curve to the Right having an **ARC LENGTH of 93.62 feet, a DELTA ANGLE of 02°47'56", with a RADIUS of 1,916.50 feet, and a CHORD BEARING of North 83°22'28" East, for a CHORD DISTANCE of 93.62 feet to a Iron Pin Set**, being 58.68 feet Left of the centerline of proposed Emerald Parkway at station 176+19.21;
- 4) **North 84°46'26" East** for a distance of **210.86 feet to a Iron Pin Set** on the West line of a 2.079 acre tract of lands as conveyed to O. Josephine Holder, LLC as described in Official Record 34266 B09 and the East line of the 6.7235 acre Thomas Family lands, being 52.81 feet Left of the centerline of proposed Emerald Parkway at station 178+28.76, witness a ¾" Iron Pipe Found bearing North 05°43'05" West at a distance of 29.40 feet;

THENCE with the West line of the 2.079 acre Holder lands and the East line of the 6.7235 acre Thomas Family lands, **South 05°43'05" East** for a distance of **149.50 feet** to the Southwest corner of the 2.079 acre Holder lands and the Southeast corner of the 6.7235 acre Thomas Family lands and on the North Limited Access Right of Way line of Interstate 270 conveyed to the State of Ohio as described in Deed Book 2665, page 599, being 96.68 feet Right of the centerline of proposed Emerald Parkway at station 178+27.54, passing the centerline of proposed right-of-way of Emerald Parkway at a distance of 52.81 feet and witness a 1" Iron Pipe Found bearing North 05°43'05" West at a distance of 0.12 feet;

THENCE with the North Limited Access Right of Way line of Interstate 270 and the South line of the 6.7235 acre Thomas Family lands on a non-tangent curve to the Left with an **ARC LENGTH of 523.25 feet, a DELTA ANGLE of 02°24'45", with a RADIUS of 12,427.67 feet, and a CHORD BEARING of South 83°04'28" West, for a CHORD DISTANCE of 523.21 feet** to the Southwest corner of the 6.7235 acre Thomas Family lands and the Southeast corner of the 6.683 acre City of Dublin lands, being 89.21 feet Right of the centerline of proposed Emerald Parkway at station 173+00.03, witness a 5/8" Rebar Found bearing North 08°40'58" West at a distance of 0.22 feet;

THENCE with the East line of the 6.683 acre Dublin Lands and the West line of the 6.7235 acre Thomas Family lands, **North 08°40'58" West** for a distance of **89.21 feet BACK TO THE TRUE POINT OF BEGINNING.**

The above described parcel contains 1.836 acres lying within Franklin County Auditor's Parcel Number 273-009067.

Iron pins indicated set are 5/8" x 30" rebar with aluminum cap stamped "LeRoy, 7664, Burgess & Niple".

EXHIBIT A

PARCEL 4-WD
RIGHT OF WAY ACQUISITION
FROM
THE THOMAS FAMILY LIMITED PARTNERSHIP

March 4, 2010
Page 3 of 4

This description was prepared by William C. LeRoy P.S., Ohio License No. 7664 and is based field surveys performed under the direction of Walter A. Dodson, P.S., Ohio License No. 6446 during October 2007 through December 2009 and upon available public records. The basis of bearings in the above described parcel are based on Grid North as obtained by RTK/GPS observations taken from Franklin County Engineer Monuments: Station FCGS 7772 and FCGS 7773, with a bearing of North 02° 34' 49" East, based on datum: Ohio State Plane South, NAD83(86 adjustment) and are for the determination of angles only.



William C. LeRoy P.S.
Ohio License No. 7664
Burgess & Niple, Inc.



3-4-2010

Date

EXHIBIT A
STATE OF OHIO, FRANKLIN COUNTY, CITY OF DUBLIN,
T 2 N, R 19 W, USML, Qtr Twp 2, Lot #17

THOMAS A. MCDOWELL
DIANE A. HORNING
7125 RIVERSIDE DR
PID: 273-008396
O.R. 31142 H08
17.370 ACRES

O. JOSEPHINE HOLDER LLC
PID: 273-008414
4729 BRIGHT RD
O.R. 34266 B09
19.410 ACRES

THOMAS FAMILY LIMITED PARTNERSHIP
PID: 273-009067
4444 TULLER RD
O.R. 17716 G19
6.724 ACRES

THE CITY OF DUBLIN
PID: 273-008247
PID: 273-009067
Inst. #200009270196246
6.683 ACRES

LOT 17
LOT 13
LOT 16
LOT 15

RIVERSIDE DRIVE

4-WD
(1.836 Acres)

LIMITED ACCESS R/W

State of Ohio
DB 2665 PG 599

INTERSTATE ROUTE 270
JACK NICKLAUS FREEWAY
SEE O.D.O.T.
FRA-270-7.47N

IPF 5/8" REBAR
IPF 5/8" REBAR
IPF 1" ID PIPE
IPF 1" ID PIPE

LEGEND

- Monument Found
- ORRSF Railroad Spike Found
- OPKF PK NAIL Found
- PKF PK NAIL SET
- ODHF DHF Drilled Hole Found
- IPF Iron Pin Found
- IPF Iron Pin Set-5/8" x 30" rebar set with plastic I.D. cap: "LEROY 7664"

() parenthesis indicates record dimension if different than measured.

P.O.B -Point Of Beginning
P.O.C -Point Of Commencement

-Existing Road Right-of-Way (P.R.O.)

Burgess & Niple
5085 Reed Road, Columbus, Ohio 43220
(614) 459-2050

Survey for:
CITY OF DUBLIN
THOMAS FAMILY
LIMITED PARTNERSHIP
SURVEY OF
1.836, 0.673 & 0.088 AC

Dwg: EJG Chk: WCL 12-16-09
Scale: 1"=120' Sht: 4 / 4 PR44959

Burgess & Niple
5085 Reed Road, Columbus, Ohio 43220
(614) 459-2050

Survey for:

CITY OF DUBLIN

THOMAS FAMILY
LIMITED PARTNERSHIP
SURVEY OF
836, 0.673 & 0.088 AC

Dwg: E J G	Chk: W C L	12-16-09
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Scale: 1"-120'	Sht: 4 / 4	PR44959
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EXHIBIT A
STATE OF OHIO, FRANKLIN COUNTY, CITY OF DUBLIN, T 2 N, R 19 W, USML, Qtr Twp 2, Lot #17

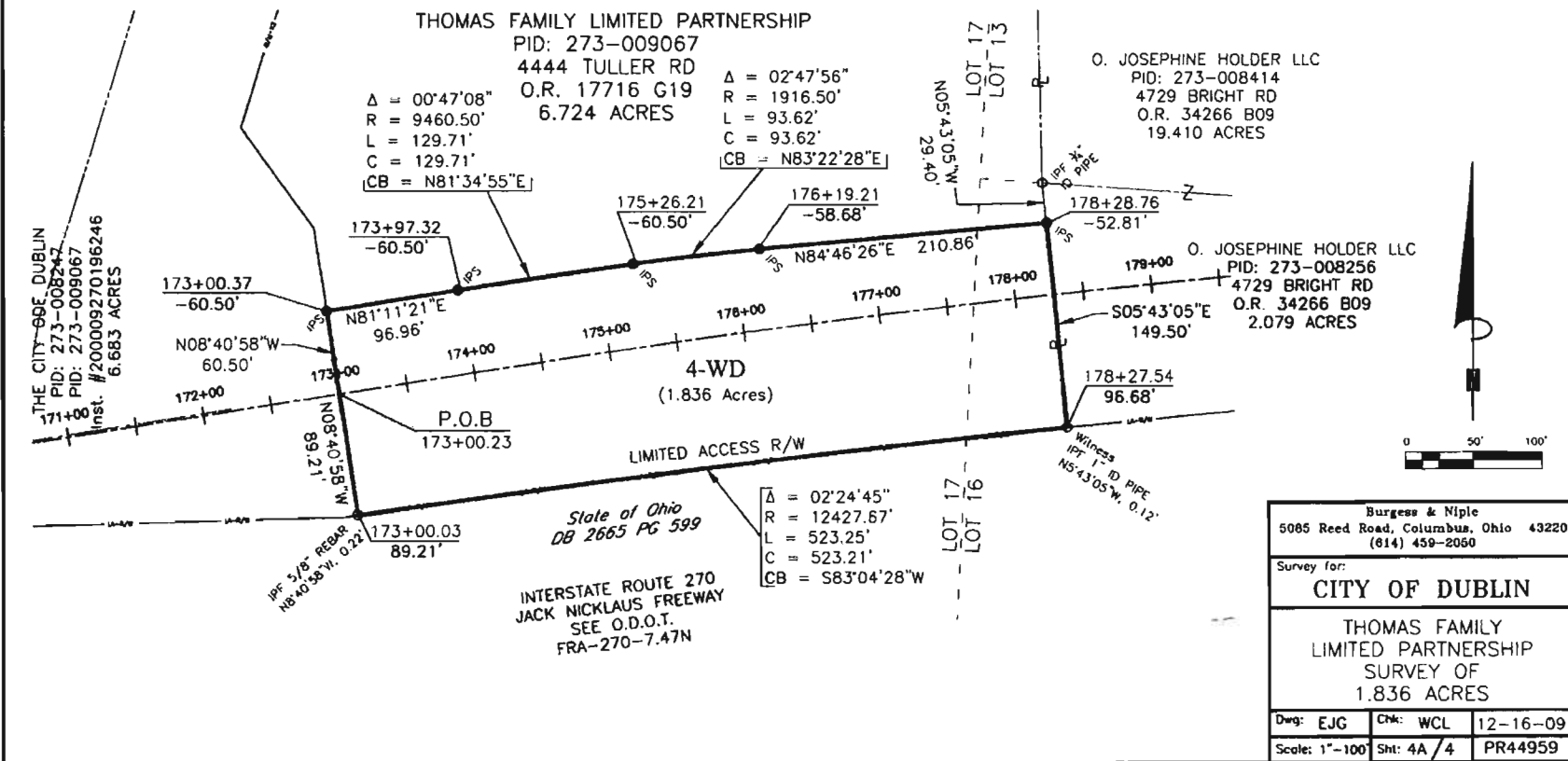


EXHIBIT A

**PARCEL 4-U
UTILITY EASEMENT ACQUISITION
FROM
THE THOMAS FAMILY LIMITED PARTNERSHIP**

March 4, 2010
Page 1 of 4

Situate in the State of Ohio, County of Franklin, City of Dublin, and being located in Township 2 North, Range 19 West of the United States Military Lands, Quarter Township 2 and part of Lot Numbered 17 being further described as part of a 8.350 acre tract of lands conveyed to The Thomas Family Limited Partnership as described in Official Records 17716 H02, 17716 G19, 17716 G16, 17716 G13, 17716 G10, 17716 G07 and 17716 G04 of the Franklin County Recorder's Office and being a parcel of land lying on the Left and Right side of Emerald Parkway as shown on the Centerline Plat of Emerald Parkway – 8 in Plat Book ____, Page ____ and being more particularly described as follows:

COMMENCING at a **Railroad Spike Set** at the centerline intersection of Riverside Drive (S.R. 257) at station 29+07.86 and Tuller Road station 10+00.00;

THENCE with the centerline of Riverside Drive, **North 09° 32' 19" East** for a distance of **553.57 feet** to a **Railroad Spike Set** at the point of curvature for Riverside Drive at station 34+61.43;

THENCE continuing with the centerline of Riverside Drive, on a curve to the Right having an **ARC LENGTH of 96.64 feet, a DELTA ANGLE of 01°55'21"**, with a **RADIUS of 2880.00 feet, and a CHORD BEARING of North 10°29'59" East for a CHORD DISTANCE of 96.63 feet** to a **Railroad Spike Set** at the centerline intersection of Riverside Drive at station 35+58.06 and the centerline of proposed Emerald Parkway at station 170+71.53;

THENCE with the centerline of proposed Emerald Parkway Drive, **North 81°11'22" East** for a distance of **228.71 feet** to the East line of a 6.683 acre tract of land conveyed to the City of Dublin as described in Instrument #200009270196246 and the West line of 8.350 acre Thomas Family lands at station 173+00.24;

THENCE with the East line of 6.683 acre City of Dublin lands and the West line of 8.350 acre Thomas Family lands, **North 08°40'58" West** for a distance of **60.50 feet** to a **Iron Pin Set** on the proposed right-of-way line of Emerald Parkway being 60.50 feet Left of the centerline of proposed Emerald Parkway at station 173+ 00.37 and the **TRUE POINT OF BEGINNING** of the herein described parcel;

THENCE continuing with the East line of the 6.683 acre City of Dublin lands and the West line of the 8.350 acre Thomas Family lands, **North 08° 40' 58" West** for a distance of **55.00 feet** to a **Iron Pin Set** on the proposed utility easement line, being 115.50 feet Left of the centerline of proposed Emerald Parkway at station 173+00.49, witness a 5/8" rebar found (bent) bearing North 08°40'58" West at a distance of 6.06 feet;

THENCE with the proposed utility easement line and through the 8.350 acre Thomas Family lands, the following four course's:

1. **North 81° 11' 21" East** for a distance of **96.83 feet** to a **Iron Pin Set**, being 115.50 feet Left of the centerline of proposed Emerald Parkway at station 173+97.32;
2. on a tangent curve to the Right with an **ARC LENGTH of 130.47 feet, a RADIUS of 9515.50 feet, a TANGENT LENGTH of 65.23 feet, a DELTA ANGLE of 00° 47' 08"**, with a **CHORD BEARING of North 81° 34' 55" East and a CHORD DISTANCE of**

EXHIBIT A

PARCEL 4-U UTILITY EASEMENT ACQUISITION FROM THE THOMAS FAMILY LIMITED PARTNERSHIP

March 4, 2010
Page 2 of 4

130.47 feet to a Iron Pin Set, being 115.50 feet Left of the centerline of proposed Emerald Parkway at station 175+26.21;

3. on a tangent curve to the Right with an **ARC LENGTH of 96.31 feet, a RADIUS of 1971.50 feet, a TANGENT LENGTH of 48.16 feet, a DELTA ANGLE of 02° 47' 56", with a CHORD BEARING of North 83° 22' 28" East and a CHORD DISTANCE of 96.30 feet to a Iron Pin Set**, being 113.63 feet Left of the centerline of proposed Emerald Parkway at station 176+21.33;
4. **North 84° 46' 53" East** for a distance of **212.33 feet to a Iron Pin Set** on the West line of a 19.41 acre tract of lands conveyed to O. Josephine Holder, LLC as described in Official Record 34266 B09 (parcel 1) and the East line of the 8.350 acre Thomas Family lands, being 107.75 feet Left of the centerline of proposed Emerald Parkway at station 178+31.11;

THENCE with the West line of the 19.41 acre Holder lands and the East line of the 8.350 acre Thomas Family lands, **South 01° 22' 41" East** for a distance of **25.63 feet to a ¾" Iron Pipe Found** at the Southwest corner of the 19.41 acre Holder lands and the Northwest corner of a 2.079 acre tract of lands conveyed to O. Josephine Holder, LLC as described in Official Record 34266 B09 (parcel 2), being 82.21 feet Left of the centerline of proposed Emerald Parkway at station 178+28.99;

THENCE continuing with the West line of the 2.079 acre Holder lands and the East line of the 8.350 Thomas Family lands, **South 05° 43' 05" East** for a distance of **29.40 feet to a Iron Pin Set** on the proposed right-of-way of said Emerald Parkway, being 52.81 feet Left of the centerline of proposed Emerald Parkway at station 178+28.76;

THENCE with the proposed right-of-way line of said Emerald Parkway the following four courses:

1. **South 84° 46' 26" West** for a distance of **210.86 feet to a Iron Pin Set**, being 58.68 feet Left of the centerline of proposed Emerald Parkway at station 176+19.21;
2. on a tangent curve to the Left with an **ARC LENGTH of 93.62 feet, a RADIUS of 1916.50 feet, a TANGENT LENGTH of 46.82 feet, a DELTA ANGLE of 02° 47' 56", with a CHORD BEARING of South 83° 22' 28" West and a CHORD DISTANCE of 93.61 feet to a Iron Pin Set**, being 60.50 feet Left of the centerline of proposed Emerald Parkway at station 175+26.21;
3. on a tangent curve to the Left with an **ARC LENGTH of 129.71 feet, a RADIUS of 9460.50 feet, a TANGENT LENGTH of 64.86 feet, a DELTA ANGLE of 00° 47' 08", with a CHORD BEARING of South 81° 34' 55" West and a CHORD DISTANCE of 129.71 feet to a Iron Pin Set**, being 60.50 feet Left of the centerline of proposed Emerald Parkway at station 173+97.32;
4. **South 81° 11' 21" West** for a distance of **96.96 feet BACK TO THE TRUE POINT OF BEGINNING.**

The above described parcel contains 0.673 acres lying within Franklin County Auditors parcel number 273-009067.

EXHIBIT A

PARCEL 4-U
UTILITY EASEMENT ACQUISITION
FROM
THE THOMAS FAMILY LIMITED PARTNERSHIP

March 4, 2010
Page 3 of 4

All iron pins described as set are 5/8" x 30" rebar with a 2 1/2" aluminum cap stamped "LeRoy. 7664, Burgess & Niple" and shall be placed upon notification by the City of Dublin. This description was prepared by William C. LeRoy P.S., Ohio License No. 7664 and is based field surveys performed under the direction of Walter A. Dodson, P.S., Ohio License No. 6446 during October 2007 through December 2009 and upon available public records. The basis of bearings in the above described parcel are based on Grid North as obtained by GPS observations taken from the Ohio State Plane Coordinates, Ohio South Zone(3402), NAD1983(1986) and are for the determination of angles only.



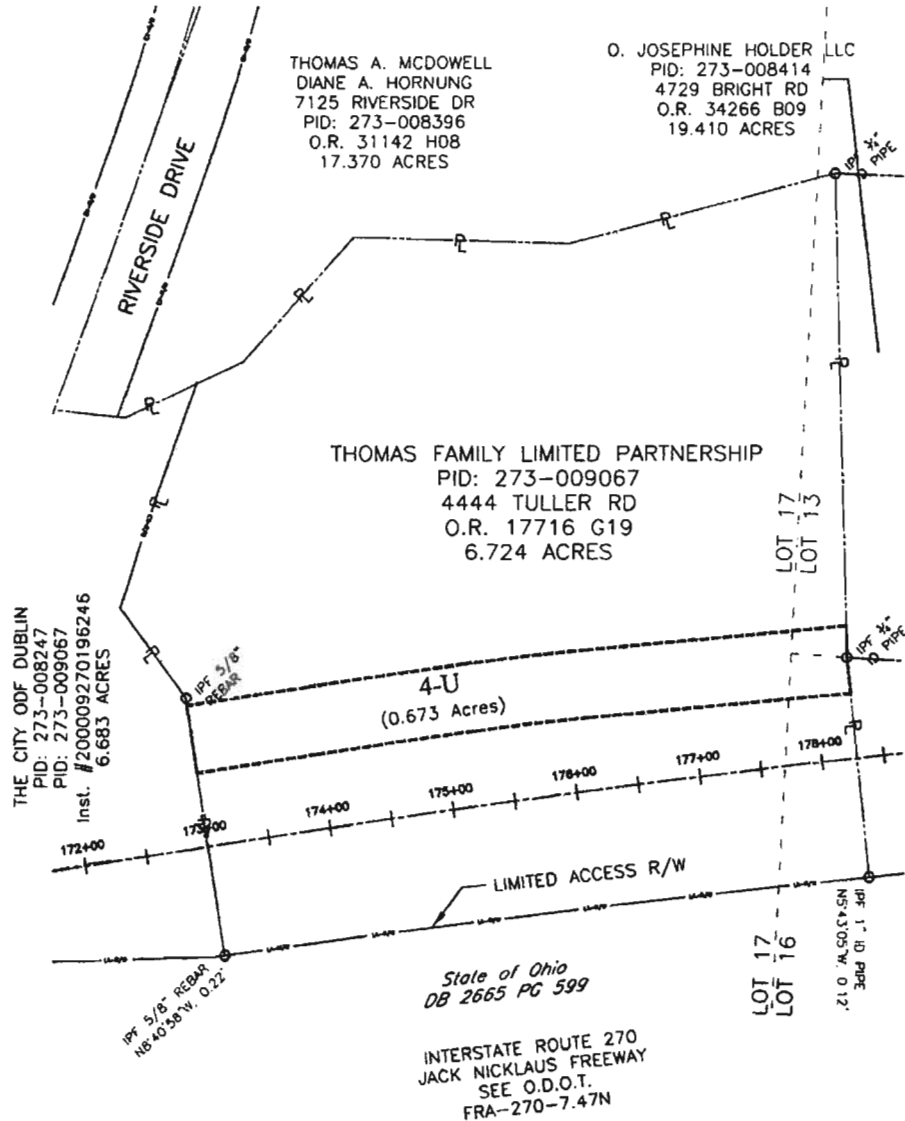
William C. LeRoy PS
Ohio License No. 7664
Burgess and Niple



3-4-2010

Date

EXHIBIT A
STATE OF OHIO, FRANKLIN COUNTY, CITY OF DUBLIN,
T 2 N, R 19 W, USML, Qtr Twp 2, Lot #17



LEGEND

- Monument Found
- RRSP Railroad Spike Found
- PKF PK NAIL Found
- PKS PK NAIL SET
- DHF DHF Drilled Hole Found
- IPF Iron Pin Found
- IPS Iron Pin Set-5/8" x 30" rebar set with plastic I.D. cap: "LEROY 7664"
- () parenthesis indicates record dimension if different than measured.
- P.O.B -Point Of Beginning
- P.O.C -Point Of Commencement
- Existing Road Right-of-Way (P.R.O.)



Burgess & Niple		
5085 Reed Road, Columbus, Ohio 43220		
(614) 459-2050		
Survey for:		
CITY OF DUBLIN		
THOMAS FAMILY LIMITED PARTNERSHIP		
SURVEY OF		
1.836, 0.673 & 0.088 AC		
Dwg: E.J.G	Chk: WCL	12-16-09
Scale: 1"=120'	Sht: 4 / 4	PR44959

EXHIBIT A
STATE OF OHIO, FRANKLIN COUNTY, CITY OF DUBLIN, T 2 N, R 19 W, USML, Qtr Twp 2, Lot #17

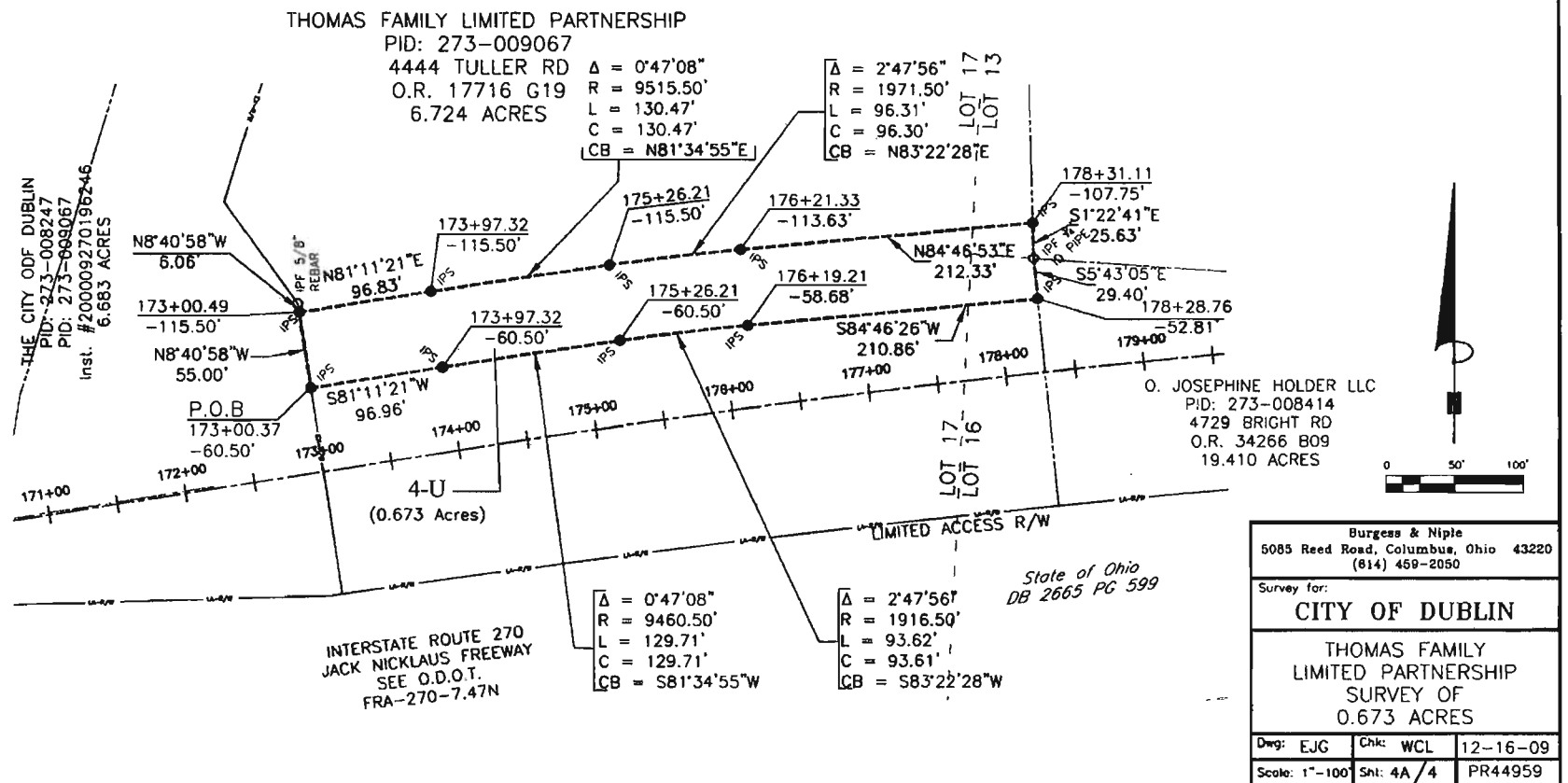


EXHIBIT A

PARCEL 4-T
TEMPORARY CONSTRUCTION & GRADING EASEMENT ACQUISITION
FROM
THE THOMAS FAMILY LIMITED PARTNERSHIP

December 28, 2009

Page 1 of 4

Situate in the State of Ohio, County of Franklin, City of Dublin, and being located in Township 2 North, Range 19 West of the United States Military Lands, Quarter Township 2 and part of Lot Numbered 17 being further described as part of a 8.350 acre tract of lands conveyed to The Thomas Family Limited Partnership as described in Official Records 17716 H02, 17716 G19, 17716 G16, 17716 G13, 17716 G10, 17716 G07 and 17716 G04 of the Franklin County Recorder's Office and being a parcel of land lying on the Left and Right side of Emerald Parkway as shown on the Centerline Plat of Emerald Parkway – 8 in Plat Book ____, Page ____ and being more particularly described as follows:

COMMENCING at a **Railroad Spike Set** at the centerline intersection of Riverside Drive (S.R. 257) at station 29+07.86 and Tuller Road station 10+00.00;

THENCE with the centerline of Riverside Drive, **North 09° 32' 19" East** for a distance of **553.57 feet** to a **Railroad Spike Set** at the point of curvature for Riverside Drive at station 34+61.43;

THENCE continuing with the centerline of Riverside Drive, on a curve to the Right having an **ARC LENGTH** of **96.64 feet**, a **DELTA ANGLE** of **01°55'21"**, with a **RADIUS** of **2880.00 feet**, and a **CHORD BEARING** of **North 10°29'59" East** for a **CHORD DISTANCE** of **96.63 feet** to a **Railroad Spike Set** at the centerline intersection of Riverside Drive at station 35+58.06 and the centerline of proposed Emerald Parkway at station 170+71.53;

THENCE with the centerline of proposed Emerald Parkway Drive, **North 81°11'22" East** for a distance of **228.71 feet** to the East line of a 6.683 acre tract of land conveyed to the City of Dublin as described in Instrument #200009270196246 and the West line of 8.350 acre Thomas Family lands at station 173+00.24;

THENCE with the East line of the 6.683 acre City of Dublin lands and the West line of the 8.350 acre Thomas Family lands, **North 08° 40' 58" West** for a distance of **115.50 feet** to a **Iron Pin Set** on the proposed utility easement line, being 115.50 feet Left of the centerline of proposed Emerald Parkway at station 173+00.49;

THENCE with the proposed utility easement line and through the 8.350 acre Thomas Family lands, **North 81° 11' 21" East** for a distance of **96.83 feet** to the proposed temporary easement line, being 115.50 feet Left of the centerline of proposed Emerald Parkway at station 173+97.32 and the **TRUE POINT OF BEGINNING** of the herein described tract;

THENCE continuing with the proposed temporary easement line and through the 8.350 acre Thomas Family lands, **North 08° 48' 39" West** for a distance of **10.00 feet**, being 125.50 feet Left of the centerline of proposed Emerald Parkway at station 173+97.32;

THENCE continuing with the proposed temporary easement line and through the 8.350 acre Thomas Family lands, on a non-tangent curve to the Right with an **ARC LENGTH** of **130.60 feet**, a **RADIUS** of **9525.50 feet**, a **TANGENT LENGTH** of **65.30 feet**, a **DELTA ANGLE** of **00° 47' 08"**, with a **CHORD BEARING** of **North 81° 34' 55" East** and a **CHORD DISTANCE** of **130.60 feet**, being 125.50 feet Left of the centerline of proposed Emerald Parkway at station 175+26.21;

EXHIBIT A

PARCEL 4-T
TEMPORARY CONSTRUCTION & GRADING EASEMENT ACQUISITION
FROM
THE THOMAS FAMILY LIMITED PARTNERSHIP

December 28, 2009

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THENCE continuing with the proposed temporary easement line and through the 8.350 acre Thomas Family lands, on a tangent curve to the Right with an **ARC LENGTH of 96.80 feet, a RADIUS of 1981.50 feet, a TANGENT LENGTH of 48.41 feet, a DELTA ANGLE of 02° 47' 56", with a CHORD BEARING of North 83° 22' 28" East and a CHORD DISTANCE of 96.79 feet**, being 123.63 feet Left of the centerline of proposed Emerald Parkway at station 176+21.71;

THENCE continuing with the proposed temporary easement line and through the 8.350 acre Thomas Family lands, **North 84° 46' 28" East** for a distance of **155.33 feet**, being 118.88 feet Left of the centerline of proposed Emerald Parkway at station 177+74.99;

THENCE continuing with the proposed temporary easement line and through the 8.350 acre Thomas Family lands, **South 06° 30' 31" East** for a distance of **10.02 feet** to the proposed utility easement line, being 108.86 feet Left of the centerline of proposed Emerald Parkway at station 177+74.99;

THENCE with the proposed utility easement line and continuing through the 8.350 acre Thomas Family lands, **South 84° 46' 53" West** for a distance of **155.55 feet** to a **Iron Pin Set**, being 113.63 feet Left of the centerline of proposed Emerald Parkway at station 176+21.33;

THENCE continuing with the proposed utility easement line and through the 8.350 acre Thomas Family lands, on a tangent curve to the Left with an **ARC LENGTH of 96.31 feet, a RADIUS of 1971.50 feet, a TANGENT LENGTH of 48.16 feet, a DELTA angle of 02° 47' 56", with a CHORD BEARING of South 83° 22' 28" West and a CHORD DISTANCE of 96.30 feet** to a **Iron Pin Set**, being 115.50 feet Left of the centerline of proposed Emerald Parkway at station 175+26.21;

THENCE continuing with said proposed utility easement line and through the 8.350 acre Thomas Family lands, on a tangent curve to the Left with an **ARC LENGTH of 130.47 feet, a RADIUS of 9515.50 feet, a TANGENT LENGTH of 65.23 feet, a DELTA ANGLE of 00° 47' 08", with a CHORD BEARING of South 81° 34' 55" West and a CHORD DISTANCE of 130.47 feet BACK TO THE TRUE POINT OF BEGINNING.**

The above described parcel contains 0.088 acres lying within Franklin County Auditors parcel number 273-009067.

All iron pins described as set are 5/8" x 30" rebar with a 2 1/2" aluminum cap stamped "LeRoy. 7664, Burgess & Niple" and shall be placed upon notification by the City of Dublin.

EXHIBIT A

PARCEL 4-T
TEMPORARY CONSTRUCTION & GRADING EASEMENT ACQUISITION
FROM
THE THOMAS FAMILY LIMITED PARTNERSHIP

December 28, 2009

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This description was prepared by William C. LeRoy P.S., Ohio License No. 7664 and is based field surveys performed under the direction of Walter A. Dodson, P.S., Ohio License No. 6446 during October 2007 through December 2009 and upon available public records. The basis of bearings in the above described parcel are based on Grid North as obtained by GPS observations taken from the Ohio State Plane Coordinates, Ohio South Zone(3402), NAD1983(1986) and are for the determination of angles only.



William C. LeRoy PS
Ohio License No. 7664
Burgess and Niple



3-4-2010

Date

EXHIBIT A
STATE OF OHIO, FRANKLIN COUNTY, CITY OF DUBLIN,
T 2 N, R 19 W, USML, Qtr Twp 2, Lot #17

The map shows several land parcels and features:

- RIVERSIDE DRIVE**: Located at the top left.
- THOMAS A. MCDOWELL DIANE A. HORNING**: 7125 RIVERSIDE DR, PID: 273-008396, O.R. 31142 HOB, 17.370 ACRES.
- O. JOSEPHINE HOLDER LLC**: PID: 273-008414, 4729 BRIGHT RD, O.R. 34266 B09, 19.410 ACRES.
- THOMAS FAMILY LIMITED PARTNERSHIP**: PID: 273-009067, 4444 TULLER RD, O.R. 17716 G19, 6.724 ACRES.
- THE CITY OF DUBLIN**: PID: 273-008247, PID: 273-009067, Inst. #200009270196246, 6.683 ACRES.
- 4-T (0.088 Acres)**: A small parcel located near the center.
- INTERSTATE ROUTE 270 JACK NICKLAUS FREEWAY**: SEE O.D.O.T. FRA-270-7.47N.
- LIMITED ACCESS R/W**: Right-of-way for Interstate Route 270.
- State of Ohio DB 2665 PG 599**: Reference to a state document.

LEGEND

- Monument Found
- RRSP Railroad Spike Found
- OPKF PK NAIL FOUND
- PKS PK NAIL SET
- DHF DHF Drilled Hole Found
- IPF Iron Pin Found
- IPS Iron Pin Set-5/8" x 30" rebar set with plastic I.D. cap: "LEROY 7664"

() parenthesis indicates record dimension if different than measured.
P.O.B -Point Of Beginning
P.O.C -Point Of Commencement
-Existing Road Right-of-Way (P.R.O.)

CITY OF DUBLIN
THOMAS FAMILY LIMITED PARTNERSHIP SURVEY OF 1.836, 0.673 & 0.088 AC

Burgess & Niple
5085 Reed Road, Columbus, Ohio 43220
(614) 469-2050

Survey for:
CITY OF DUBLIN
THOMAS FAMILY LIMITED PARTNERSHIP SURVEY OF 1.836, 0.673 & 0.088 AC

Dwg: EJC Chk: WCL 12-28-09
Scale: 1"=120' Sht: 4 / 4 PR44959

Burgess & Niple
5085 Reed Road, Columbus, Ohio 43220
(614) 459-2050

Survey for:

CITY OF DUBLIN

THOMAS FAMILY
LIMITED PARTNERSHIP
SURVEY OF
1.836, 0.673 & 0.088 AC

Dwg: EJC	Chk: WCL	12-28-09
Scale: 1"=120'	Shl: 4 / 4	PR44959

EXHIBIT A
STATE OF OHIO, FRANKLIN COUNTY, CITY OF DUBLIN, T 2 N, R 19 W, USML, Qtr Twp 2, Lot #17

